

REMARKS

In view of the foregoing amendments and the following remarks, reconsideration of the above referenced application is respectfully requested.

The drawings are objected to as failing to comply with 37 CFR 1.83(a) because they fail to show the “port coupled to the sleeve and adapted to receive the notebook computer” as described in the specification, i.e., there is no showing of the notebook computer as its being received into the sleeve. Applicant respectfully submits that the Specification teaches that the handle shown in Figure 1 is retractable and pivotable to allow insertion of the notebook into the associated shown opening, as disclosed in the Specification on page 4 lines 17-26 and page 8 lines 4-19 and that the shown handle and port meet the requirements of 37 CFR 1.83(a). The Specification even states the handle may be pivotable and an actual Figure of the handle being retracted is not believed to be necessary to comply. Application respectfully requests the Examiner to withdraw this objection.

Claims 1, 2, 4, 10, 11, 12, 14, and 20 stand rejected under 35 USC §102(e) as being anticipated by U.S. Patent No. 6,896,134 to Russell et al. (“Russell” hereinafter).

Claims 9 and 19 stand rejected under 35 USC §103(a) as being unpatentable over Russell.

Claims 3 and 13 stand rejected under 35 USC §103(a) as being unpatentable over Russell (‘134) in view of U.S. Patent Publication No. US2004/0025993 to Russell (“Russell ‘993” hereinafter).

Claims 5-7 and 15-17 stand rejected under 35 USC §103(a) as being unpatentable over Russell in view of U.S. Patent 6,208,504 to Cho et al. (“Cho” herinafter).

Claims 8 and 18 stand rejected under 35 USC §103(a) as being unpatentable over Russell in view of U.S. Patent No. 7,075,433 to Singer.

Claims 1 and 11 recite “a reinforced body member having a sleeve adapted to secure the notebook computer therewithin” and further, wherein the body member has “at least one opening permitting access to a lateral portion of the received notebook while secured therein without manipulating the body member.” Advantageously, the opening(s) permit access to the lateral portion(s) of the received notebook to allow some or all peripheral ports to be accessed while the notebook computer is secured within the body member’s sleeve and without requiring manipulation of the body member. For example, the notebook’s power adaptor and power cord may be coupled to the notebook computer and charge the notebook computer’s internal power supply while it is secured within the body member, without sacrificing the protective capabilities of the body member or requiring the user to manipulate the body member, as disclosed in Applicant’s Specification on page 4 lines 17-26.

In contrast, Russell teaches a protective carrying case that allows the user to use the computer and attach it to peripheral devices only after requiring manipulation of the protective case by the user. In one embodiment, Russell teaches a protective carrying case resembling a briefcase that receives a notebook computer on a raised platform that, when opened, would continue to allow access to the peripheral ports on the lateral edges of the notebook computer. In a second embodiment, Russell teaches a protective carrying case resembling a briefcase that

receives a notebook computer in the protective case and allows access to the peripheral ports on the lateral edges of the notebook computer only by opening flaps on the lateral edges of the protective case. Both embodiments require the user to manipulate the protective case in order to access the peripheral ports located on the lateral edges of the notebook computer, which is inconvenient and problematic.

All dependent Claims 2-10 and 12-20 stem from independent Claims 1 and 11 and are thus believed to be allowable for the foregoing reasons at a minimum, and further arguments addressing them individually is reserved at this time without prejudice to present at a later time if necessary.

For all of the above reasons, Applicant submits that all Claims 1-20 define patentably over the prior art, and a Notice of Allowance is respectfully requested.

No additional fees are believed to be due, however, the Commissioner is authorized to debit Applicant's Deposit Account # 10-0096, should any other fees be due.

The Examiner is encouraged to contact the undersigned attorney to resolve any matters which remain by Examiner's amendment where possible.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'R. C. Klinger', written in a cursive style.

Robert C. Klinger
Reg. No. 34,365
Attorney for Applicant

Jackson Walker L.L.P.
901 Main Street, Suite 6000
Dallas, Texas 75202
(214) 953-5978 – Direct Dial
(214) 661-6873 – Direct Fax